

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.9383 OF 2005

Date: 24.08.2005

Between:

M/s. Sai Krupa Plantations Pvt.Ltd., Registered Office 1-9-312/3, Achutareddy Complex, Vidyanagar, Hyderabad, rep.,by its Managing Director, V.Shivaji.

...Petitioner

and

The Sub-Registrar, Registration & Stamps Department, Zaheerabad, Medak District and another.

... Respondents.

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ORDER:

Heard the learned Counsel for the petitioner and the learned Government Pleader for revenue and at their request the writ petition is taken up for disposal at the stage of admission.

The grievance of the petitioner, in this writ petition, is that despite the petitioner having presented the sale deed dated 07.03.1996 in respect of a total extent of Ac.11.21 guntas of land in Survey No.20 of Machnoor Village, Jarasangam Mandal,

Medak District, for registration, the 1st respondent instead of registering and releasing the document had kept the same pending, having numbered it as P/22/96. Petitioner contends that no reasons were assigned in writing by the 1st respondent for not registering the sale deed. It is further stated that the petitioner was orally informed that the Revenue Divisional Officer, Sangareddy had issued letter dated 13.02.1996 asking the 1st respondent not to entertain any document in relation to certain Survey numbers including Survey No.20 of Machnoor Village, on the ground that there is a Ceiling Case pending under the provisions of the A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. It is further stated that the land in Survey No.20 of Machnoor Village, Jarasangam Mandal, Medak District, is not the subject matter of any final orders passed by the Land Reforms Tribunal in C.C.No.1980/Z/75, dated 13.02.1996 and that the land in question is neither the subject matter of any pending Ceiling Case nor is it surplus land.

A counter affidavit is filed by the Sub-Registrar, Zaheerabad, Medak District, wherein the fact that the document was presented for registration on 07.03.1996 is admitted. Reference is made to the letter of the Revenue Divisional Officer dated 13.02.1996 to state that despite the petitioner having been informed in this regard, he had insisted that the document be received for registration and kept pending. Reference is made to Section 19 of the Land Reforms (Ceiling on Agricultural Holdings) Act 1975 in support of the submission that no document can be accepted for registration, in the absence of the prescribed declaration. It is contended that since the necessary declaration in duplicate had not been filed by the petitioner, the authorities were precluded from taking further action to register the said document. It is further stated that as and when the declaration is filed by the petitioner, the registering authority will receive the document and process it for registration.

Learned Counsel for the petitioner submits that, the requisite declaration under Section 19 of the Act, would be submitted before the 1st respondent within two weeks from the date of receipt of a copy of this order. On submission of such declaration, the 1st respondent is directed to process the document for registration, take a final decision in this regard and communicate the same to the petitioner within one month from the date of receipt of such declaration.

Writ petition is accordingly disposed of. There shall be no order as to costs.

RAMESH RANGANATHAN, J

Date: 24.08.2005

MRKR